

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

IN RE:
GARY MICHAEL PITTMAN
Debtor

Case No. 21-12044-KHK

Chapter 11

U.S. BANK, NATIONAL ASSOCIATION AS LEGAL TITLE
TRUSTEE FOR TRUMAN 2016 SC6 TITLE TRUST
Movant

v.
GARY MICHAEL PITTMAN
Debtor/Respondent

ORDER GRANTING RELIEF FROM STAY *IN REM*

This matter having come before the Court on May 25, 2022 upon consideration of the Motion for Relief from Automatic Stay *In Rem* filed by U.S. Bank, National Association as legal Title Trustee for Truman 2016 SC6 Title Trust; and counsel for the Movant and the Debtor and his counsel having appeared; and the Court having heard argument of counsel and the testimony of the Debtor and having considered the record, and finding cause to grant the relief requested by the Movant pursuant to 11 U.S.C. § 362(d)(4)(B), it is hereby:

ORDERED that the automatic stay imposed by 11 U.S.C §362 is modified to permit the movant and its successors and assigns to enforce the lien of its deed of trust as it pertains to the real property located at 8110 Georgetown Pike, Mclean, VA 22102 and more particularly described as follows:

PARCEL B: Beginning at a pipe found at the intersection of the northerly side of Georgetown Pike, Route 193, and the easterly side of an outlet road; thence with the easterly side of any outlet road, N. 33 degrees 16'39"E. 418.52 feet to a pipe set; thence running through the tract S. 68 degrees 40'40" E. 384.59 feet to a pipe set in the line of Troxell Manor; thence with the line of Troxell Manor, S. 33 degrees 17'22" W. passing over a pipe found at 169.01 feet, another at 363.57 feet, in all 419.87 feet to a pipe found on the northerly side of Georgetown Pike; thence with said side of said Pike, N. 68 degrees 29' 0"W. 384.23 feet to the beginning, containing 157,000 square feet or 3.620 acres.

which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such action under state law, as may be necessary, to obtain possession of the property.

IT IS FURTHER ORDERED, that in view of the history of the bankruptcy filings set forth in the Motion for Relief and incorporated herein, the relief from the automatic stay granted shall be *In Rem* and shall constitute an equitable servitude against any interest of the Debtor and any other party occupying or relating to the Property located at 8110 Georgetown Pike, McLean, VA 22102, and shall

be effective notwithstanding the filing of another case by the Debtor or any other party purporting to occupy, possess, reside at, or relate to the Property under any Chapter of the Bankruptcy Code in this or any other Bankruptcy Court.

IT IS FURTHER ORDERED that upon entry, this Order shall be binding in any other bankruptcy case purporting to affect the Property filed not later than 2 years after the date of entry of this Order and the terms of this Order shall be effective in a case filed by the Debtor or any other party purporting to occupy, possess, reside at, or relate to the Property.

IT IS FURTHER ORDERED that any Federal, State, or local governmental unit that accepts notices of interests or liens in real property shall accept a certified copy of this Order for indexing and recording.

DONE at Alexandria, Virginia, this _____ day of _____, 2022.

Jun 8 2022

/s/ Klinette H Kindred

Bankruptcy Judge
U.S. Bankruptcy Court

Entered on Docket: Jun 8 2022

I ASK FOR THIS:

_____/s/ Barry Spear_____
Barry Spear, VSB# 39152
BWW Law Group, LLC
8100 Three Chopt Rd.
Suite 240
Richmond, VA 23229
(804) 282-0463 (phone)
(804) 282-0541 (facsimile)
Counsel for the Movant

SEEN AND OBJECTED TO:

_____/s/ Nathan A. Fisher_____
Nathan A. Fisher
3977 Chain Bridge Road, #2
Fairfax, VA 22030
Counsel for the Debtor

CERTIFICATION

The undersigned certifies that the foregoing Order Granting Relief from Stay has been endorsed by or on behalf of all necessary parties and counsel herein, in accordance with Local Rule 9022-1.

_____/s/ Barry Spear_____
Barry Spear
Counsel for the Movant

Copy to:

BWW Law Group, LLC
8100 Three Chopt Rd.
Suite 240
Richmond, VA 23229

John P. Fitzgerald, III, Trustee
1725 Duke Street
Suite 650
Alexandria, VA 22314

Nathan A. Fisher
3977 Chain Bridge Road, #2
Fairfax, VA 22030

Gary Pittman
8110 Georgetown Pike
McLean, VA 22102

Alice Pittman
8110 Georgetown Pike
McLean, VA 22102